

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (previously presented): A substance for preventing, delaying the onset of or treating one or more than one autoimmune disease, the substance comprising a polynucleotide construct comprising a polynucleotide sequence encoding the pro-apoptotic protein BAX and encoding one or more than one autoantigen for the autoimmune disease.

2. (previously presented): Use of a polynucleotide construct comprising a polynucleotide sequence encoding the pro-apoptotic protein BAX and encoding one or more than one autoantigen for an autoimmune disease for the manufacture of a medicament for preventing, delaying the onset of or treating the one or more than one autoimmune disease.

3. (currently amended): Use of a ~~polynucleotide construct comprising a polynucleotide sequence encoding the adenoviral protein plasmid comprising a promoter and a polynucleotide sequence encoding only one adenoviral protein, where the only adenoviral protein encoded by the plasmid is E3-GP19k~~ for the manufacture of a medicament for preventing, delaying the onset of or treating one or more than one autoimmune disease.

4. (currently amended): Use of a ~~polynucleotide construct comprising plasmid comprising a promoter and a polynucleotide sequence encoding ΔBCL-2~~ for the manufacture of a medicament for preventing, delaying the onset of or treating one or more than one autoimmune disease.

5. (previously presented): Use according to claim 2, where the medicament is manufactured in dosage units of between about 0.5 mg to about 5 mg.

6. (previously presented): Use according to claim 2, where the medicament is manufactured in dosage units of between about 1 mg to about 4 mg.

7. (previously presented): Use according to claim 2, where the medicament is manufactured in dosage units of between about 2.5 mg to about 3 mg.

8. (previously presented): Use according to claim 2, where the medicament is manufactured in a form suitable for intramuscular administration.
9. (previously presented): Use according to claim 2, where the medicament is manufactured in a form suitable for intravenous administration.
10. (previously presented): A method for preventing, delaying the onset of or treating an autoimmune disease in a patient comprising:
 - a) selecting a patient who is susceptible to developing the autoimmune disease, who is developing the autoimmune disease or who has the autoimmune disease; and
 - b) administering to the patient one or more than one dose of a polynucleotide construct comprising a polynucleotide sequence encoding the pro-apoptotic protein BAX and encoding one or more than one autoantigen for the autoimmune disease.
11. (previously presented): The method of claim 10, where the autoimmune disease is type I diabetes.
12. (previously presented): The method of claim 11, where selecting the patient comprises identifying in the patient the presence of anti-insulin or anti-GAD autoantibodies or both anti-insulin and anti-GAD autoantibodies.
13. (previously presented): The method of claim 11, where selecting the patient comprises identifying in the patient the presence of increasing hyperglycemia.
14. (previously presented): The method of claim 11, where selecting the patient comprises identifying in the patient the presence of glycosuria.
15. (previously presented): The method of claim 10, where selecting the patient comprises identifying in the patient the presence of a genetic predisposition to the autoimmune disease.
16. (previously presented): The method of claim 10, where the one or more than one dose is a plurality of doses.
17. (previously presented): The method of claim 10, where administering to the patient one or more than one dose comprises injecting the patient intramuscularly with the one or more than one dose.

18. (previously presented): The method of claim 10, further comprising, after administering, monitoring the patient for the development the autoimmune disease.

19. (currently amended): A method for preventing, delaying the onset of or treating an autoimmune disease in a patient comprising:

a) selecting a patient who is susceptible to developing the autoimmune disease, who is developing the autoimmune disease or who has the autoimmune disease; and

b) ~~administering to the patient one or more than one dose of a polynucleotide construct comprising a polynucleotide sequence encoding the adenoviral protein inducing an immune response that downregulates a Th1-like immune response in the patient by administering to the patient one or more than one dose of a plasmid comprising a promoter and a polynucleotide sequence encoding only one adenoviral protein, where the only adenoviral protein encoded by the plasmid is E3-GP19k.~~

20. (previously presented): The method of claim 19, where administering to the patient one or more than one dose comprises injecting the patient intramuscularly with the one or more than one dose.

21. (currently amended): A method for preventing, delaying the onset of or treating an autoimmune disease in a patient comprising:

a) selecting a patient who is susceptible to developing the autoimmune disease, who is developing the autoimmune disease or who has the autoimmune disease; and

b) ~~administering to the patient one or more than one dose of a polynucleotide construct comprising inducing an immune response that downregulates a Th2-like immune response in the patient by administering to the patient one or more than one dose of a plasmid comprising a promoter and a polynucleotide sequence encoding ΔBCL-2.~~

22. (previously presented): The method of claim 21, where administering to the patient one or more than one dose comprises injecting the patient intramuscularly with the one or more than one dose.

23. (currently amended): A method for preventing, delaying the onset of or treating an autoimmune disease in a patient comprising:

a) selecting a patient who is susceptible to developing the autoimmune disease, who is developing the autoimmune disease or who has the autoimmune disease; and

b) administering to the patient one or more than one dose of a polynucleotide construct comprising a polynucleotide sequence encoding the pro-apoptotic protein BAX and encoding one or more than one autoantigen for the autoimmune disease, or a polynucleotide construct comprising a polynucleotide sequence encoding the adenoviral protein E3-GP19k, or a polynucleotide construct comprising a polynucleotide sequence encoding Δ BCL-2, or a combination of the preceding polynucleotide constructs at least two polynucleotide sequences encoding at least two proteins selected from the group consisting of 1) the pro-apoptotic protein BAX and one or more than one autoantigen for the autoimmune disease, 2) the adenoviral protein E3-GP19k, and 3) Δ BCL-2.

24. (previously presented): The method of claim 23, where administering to the patient one or more than one dose comprises injecting the patient intramuscularly with the one or more than one dose.